



PATENT
Customer No. 22,852
Attorney Docket No. 05725.0878

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
David W. CANNELL et al.) Group Art Unit: 1615
Application No.: 09/820,934) Examiner: L. Channavajjala
Filed: March 30, 2001) Confirmation No.: 4153
For: HEAT ACTIVATED DURABLE)
CONDITIONING COMPOSITIONS)
COMPRISING C₁ TO C₂₂)
SUBSTITUTED C₃-C₅)
MONOSACCHARIDES AND)
METHODS FOR USING THE SAME)

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

TERMINAL DISCLAIMER

Assignee, L'Oréal S.A., duly organized under the laws of FRANCE and having its principal place of business at 14, Rue Royale, 75008, Paris, France, through its attorneys, represents that it is the assignee of the entire right, title and interest in and to the instant application, Application No. 09/820,934, filed March 30, 2001 for HEAT ACTIVATED DURABLE CONDITIONING COMPOSITIONS COMPRISING C₁ TO C₂₂ SUBSTITUTED C₃-C₅ MONOSACCHARIDES AND METHODS FOR USING THE SAME, as indicated by assignment duly recorded in the United States Patent and Trademark Office at Reel 011965, Frame 0857 on July 10, 2001. Assignee, L'Oréal

S.A., further represents that it is the assignee of the entire right, title and interest in and to the following U.S. patent applications and patents:

- 1) U.S. Patent No. 6,486,105, as indicated by assignment duly recorded in the United States Patent and Trademark Office at Reel 012004, Frame 0697 on July 23, 2001, and
- 2) U.S. Patent Application No. 09/821,480, as indicated by assignment duly recorded in the United States Patent and Trademark Office at Reel 012004, Frame 0689 on July 23, 2001.

Evidentiary documents have been reviewed and, to the best of assignee's knowledge and belief, title to both the instant application and each U.S. patent application and U.S. patent listed above is in the assignee submitting this Terminal Disclaimer.

To obviate a double patenting rejection, assignee hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of the prior patents and/or any patent granted for any patent application listed above, Assignee hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patents and/or any patent granted for any patent application listed above are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Assignee does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patents or any patent granted for any patent application listed above, as presently shortened by any terminal disclaimer, in the event that the prior patents or any patent granted for any patent application listed above later expire for failure to pay a maintenance fee, are held unenforceable, are found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or in part, is terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

In accordance with the fee schedule set forth in 37 C.F.R. § 1.20(d), the required fee of \$130.00 is being filed with this disclaimer.

If a check for the required fee is not filed concurrently herewith or if there are any additional fees due in connection with the filing of this Terminal Disclaimer, please charge the fees to our Deposit Account No. 06-0916. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to Deposit Account No. 06-0916

The undersigned is an attorney of record.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: July 18, 2005

By: Thalia V. Warnement
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